



CANNON BUILDING
861 SILVER LAKE BLVD., SUITE 203
DOVER, DELAWARE 19904-2467

STATE OF DELAWARE
BOARD OF ELECTRICAL EXAMINERS

TELEPHONE: (302) 744-4500
FAX: (302) 739-2711
WEBSITE: DPR.DELAWARE.GOV
EMAIL: customerservice.dpr@state.de.us

PUBLIC MEETING MINUTES:	Board of Electrical Examiners
MEETING DATE AND TIME:	Wednesday, June 4, 2014 at 8:30 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware FIRST FLOOR PSC CONFERENCE ROOM Cannon Building
MINUTES APPROVED:	

MEMBERS PRESENT

Daniel Creedon, President, Professional Member
Bobby Murrian, Vice-President, Professional Member
Michael Travers, Continued Education, Professional Member
Robert MacLennan, Professional Member
Frank Beebe, Public Member
Richard Millar, Public Member
Thomas Hartley, Complaint Officer, Professional Member
Nathan Schreppler, Board Secretary, Public Member
William Poore, Public Member

ABSENT

DIVISION STAFF/DEPUTY ATTORNEY GENERAL

Kevin Maloney, Deputy Attorney General
Maggie Strauss, Administrative Specialist II
David Mangler, Director

OTHERS PRESENT

Jeffrey Lloyd
Joe Williams
Jean Elliott
Michael Denby

CALL TO ORDER

Mr. Creedon called the meeting to order at 9:00am.

REVIEW OF MINUTES

A motion was made by Mr. Murrian, second by Mr. MacLennan, to approve the meeting minutes from May 7, 2014. The motion was unanimously carried.

UNFINISHED BUSINESS

Propose To Deny Continuation Hearing of Michael J. Denby

Mr. Maloney called the hearing to order at 9:17a and stated that today's continuation hearing was a result of the Board's proposal to deny the Journeyman application of Micheal J. Denby.

The Board members were introduced. Mr. Maloney explained that the Board proposed to deny the application because Mr. Denby had prior convictions related to the profession of electrical services under 17.1.22 and 17.1.23 of the Rules and Regulations. Mr. Maloney restated board's exhibit #1 as the application, documents, and correspondence letters related to today's hearing, and board's exhibit #2 as the continuation letter for today's proceedings. Mr. Denby provided the requested letters of character reference to the Board for review, which Mr. Maloney marked as respondent's exhibit #1. Mr. Denby was sworn in.

Mr. Denby again explained to the board that the crimes he committed were during his "younger days" and that "he was not the man on that paper anymore". He directed the Board to the letters he submitted from friends, previous employers, and his current Pastor. He went on to state that he has known the afore mentioned people 10 years, 12 years and approximately 1 year, respectively.

Mr. Schreppler asked if there had been any complaints filed on work he's performed, to which Mr. Denby indicated, "No, I am very very particular about my work". Mr. Denby went on to further state that he did not ask his current employer for a letter to present today because he doesn't do electrical work yet, only deliveries, cleanup, etc. until he is licensed. Mr. MacLennan inquired about his police contact since the convictions, and Mr. Denby stated that he has had no police contact since all of those charges; he has completed all the terms of his probation and has not been in any trouble since.

The Board went into deliberations at 9:14a. The Board reviewed the letters submitted by Mr. Denby and felt that he provided adequate information from references as requested by the Board. After considering testimony at both hearings, they felt Mr. Denby has changed and should be given the opportunity to work in the field.

A motion was made by Mr. Hartley, second by Mr. MacLennan to approve Mr. Denby to sit for the Journeymen electrical exam. The motion carried unanimously.

The hearing went off record and adjourned at 09:16a.

Propose To Deny Hearing of Jeffrey J. Lloyd

Mr. Maloney called the hearing to order at 9:17a and stated that today's continuation hearing was a result of the Board's proposal to deny the Journeyman application of Jeffrey J. Lloyd.

The Board members were introduced. Mr. Maloney explained that the Board proposed to deny the application because Mr. Lloyd had prior convictions related to the profession of electrical services under 17.1.3 of the Rules and Regulations. Mr. Maloney introduced board's exhibit #1 as the application, documents, and correspondence letters related to today's hearing. Mr. Lloyd was sworn in.

Mr. Lloyd called his first witness, Mr. Folderour, who was sworn in by Mr. Maloney. He testified that he knows Mr. Lloyd both professionally and personally, and he is a great person in both aspects. There have never been any problems with him on a job site, and he “does good work”. Mr. Folderour stated that he is an “all around great guy”.

Mr. Lloyd began his testimony by stating that it has been 11 years since his conviction. He struggled with substance abuse for 10 years and those charges are a result of that period of his life. He was incarcerated in 2007, at which time he enrolled in and completed a drug treatment program. Mr. Lloyd indicated that he has had no police contact since then; he has since “gotten married, adopted a dog with his wife and changed his life since completing the program”.

Mr. Schreppler asked whether he was still on probation, and Mr. Lloyd responded that he had completed all of the terms of his sentencing including probation and has stayed out of trouble since 2007.

The Board went into deliberations at 9:26a. Mr. MacLennan stated that Mr. Lloyd provided a character witness today, and has not been in trouble since 2007. He felt ok with allowing Mr. Lloyd to become licensed.

A motion was made by Mr. MacLennan, second by Mr. Schreppler to approve the Journeyman application of Jeffrey J. Lloyd. The motion carried unanimously.

The hearing went off record and adjourned at 09:31a.

Mr. Creedon recessed the meeting at 9:32a to complete review of applications. The meeting reconvened at 10:01a

Re-Review of Applications

A motion was made by Mr. MacLennan, second by Mr. Murrin to approve Matthew J. Hollinshead to sit for the Master Electrical – Elevator exam. The motion was unanimously carried.

Review & Consideration of Orders

The Board reviewed and signed the final orders of Robert Giampietro and John J. Martin, II.

NEW BUSINESS

Review of Examination Applications

A motion was made by Mr. MacLennan, second by Mr. Poore to approve the applications of Charles Mann, Michael G. Zelinsky, David R. Wood, Ronald S. Spellman and Michael G. Schneider to sit for the Master Electrician exam. The motion was unanimously carried.

A motion was made by Mr. MacLennan, second by Mr. Poore to approve the application of William C. Wyatt, Jr. to sit for the Limited Electrician exam. The motion was carried unanimously.

A motion was made by Mr. MacLennan, second by Mr. Poore to approve the applications of Gregory Churach, Gary E. Royse, Donald Tribeck, Jr. and Daniel E. Powell to sit for the Journeyman Electrician exam. The motion was unanimously carried.

A motion was made by Mr. MacLennan, second by Mr. Poore to table the application of William H. Hoffman for proof of full-time experience. The motion carried unanimously.

Review of Reciprocity Applications

A motion was made by Mr. MacLennan, second by Mr. Schreppler to approve the reciprocal applications of Dukel A. Farquharson, Kevin A. Sullivan, James C. Bartz, Robert C. Budinich, Cody E. Oram and Michael W. Berg. The motion was unanimously carried.

A motion was made by Mr. MacLennan, second by Mr. Schreppler to table the reciprocal application of Russell A. Bowen for proof of hours indicating full-time experience. The motion carried unanimously.

Review of Military Applications

A motion was made by Mr. MacLennan, second by Mr. Schreppler to approve the Journeyman application of Laurence A. Witty. The motion carried unanimously.

A motion was made by Mr. MacLennan, second by Mr. Schreppler to table the Journeyman application of Alvis Mills for proof of education (transcripts). The motion carried unanimously.

Ratification of Applications

A motion was made by Mr. MacLennan, second by Mr. Schreppler to approve the ratification of Apprentice Electrician applications of: Roger Wayne Joiner, Ryan C. Walls, Kevin Lopez, Danielson A. Cooper, Justin Plaches, Daniel P. O'Connell, Jr., John J. Hartnett and Philip M. Beachy. The motion was unanimously carried.

A motion was made by Mr. MacLennan, second by Mr. Schreppler to approve the ratification of Journeyperson Electrician applications of: Jerome J. Lidinsky, Tracey Lee Johnson, Clyde Eugene Walton, Jr., Michael J. Cahill, Robert A. Grove, Daniel P. Gagnon, Nicholas A. Mulderig, Anthony James Stone, Keith Richard Stanhope, Guy J. Miliziano, Andrew Julian Courtney, Josh R. Taylor, Thomas Roy Cahill, Jamie Sanchez, Michael McClain Barrett, Bryan K. Kreer, Andrew Jay Lenker, Sean William Siedlecki, Joel R. Bossert, Kevin A. Malinowski, Joseph C. Scavuzzo, Donald E. Dillon, Kyle Z. Hitch, Eric D Boehm, Matthew A. Lucas and Darrell V. Kraft. The motion was unanimously carried.

A motion was made by Mr. MacLennan, second by Mr. Beebe to approve the ratification of Master Electrician applications of: Barry Alvin Williams, Jr., Nicholaus A. Meyers, Michael A. Langley and Toby W. Gros. The motion was unanimously carried.

A motion was made by Mr. MacLennan, second by Mr. Beebe to approve the ratification of Master Electrician Special-Elevator applications of: Richard E. Covell, III, Marc T. Statler, Scott T. Passwater, Leon D. Shaw, Randolph S. Moody and Americo A. Schiavi. The motion was unanimously carried.

Applications for Review – Deputy Attorney General

A motion was made by Mr. MacLennan, second by Mr. Murrian, to approve the Journeyperson application of Thomas A. Messina. The motion was unanimously carried.

A motion was made by Mr. MacLennan, second by Mr. Murrian, to propose to deny the Journeyperson Electrician applications of Harvey M. Seeney, Christopher N. Henley James P. Gerkin, Jr. and Franklin E. Hanna for having been convicted of crimes substantially related to the profession of electrical services. The motion was unanimously carried.

A motion was made by Mr. MacLennan, second by Mr. Murrian, to table the Master Electrician application of Jeffrey D. Smith for more information. The motion was unanimously carried.

Apprentice Program Applications for Review & Discussion

Upon review and discussion of 1408(a)(5) & (6) in reference to Journeyman and Apprentice applications, the Board indicated that completion of a Board approved program meant both the classroom a hours **AND** the on-the-job-training requirements. Completion of a program awarded the applicant a certificate of completion and resulting Journeyman's papers which once provided to the Division, and all other requirements met, would license the individual as a Journeyman electrician in the state of DE. If the applicant has NOT completed both parts of the program (i.e. only the classroom hours indicated by a certificate from the school electrical apprentice program **OR** a verification of employment indicating 8,000 hours under the supervision of a master electrician) then the applicant could either apply for an apprentice license to gain OJT or be approved to sit for the Journeyman examination respectively.

After discussion of the above mentioned statute, a motion was made by Mr. MacLennan, second by Mr. Murrian to approve the Apprentice applications of Micha Parker, Sr., Brian Jones, Richard Terry and Robert Caputo. The motion carried unanimously.

A motion was made by Mr. MacLennan, second by Mr. Murrian to propose to deny the Journeyman application of Sean Morris for lack of hours (OJT), but approved for apprentice licensure if the applicant wished to do so. The motion carried unanimously.

A motion was made by Mr. MacLennan, second by Mr. Murrian to table the application of James Rochester pending receipt and review of criminal history by the DAG. The motion carried unanimously.

Complaints Status

01-02-12 - Attorney General
01-18-12 - Attorney General
01-25-12 - Attorney General
01-09-13 - Attorney General
01-12-13 - Attorney General
01-17-13 – Assigned
01-21-13 – Assigned
01-22-13 – Assigned
01-23-13 – Assigned
01-01-14 – Assigned
01-06-14 – Attorney General
01-09-14 – Attorney General
01-11-14 – Attorney General
01-12-14 – Closed
01-13-14 – Attorney General
01-14-14 – Assigned
01-15-14 – Assigned
01-16-14 – Assigned

Continued Education

A motion was made by Mr. Beebe, second by Mr. Schreppler, to approve the requested continuing education courses as follows, and the motion carried unanimously:

Vista College

Grounding & Bonding – 8 hours
NEC Terminology – 4 hours

Mike Holt Enterprises, Inc.

2014 Changes to the NEC Part I : Correspondence – 8 hours
2014 Changes to the NEC Part II : Correspondence – 8 hours

TEGG

NFPA 70E Electrical Safety in the Workplace – 8 hours

TES

2014 NEC Update – 9 hours
(Residential Wiring for 1 & 2 Family Dwellings – 8 hours
Solar Photovoltaic Systems – 8 hours
Grounding & Bonding I – 8 hours
Electrical Estimating – 8 hours
Code Calculations – 8 hours
Motors & Controls – 8 hours
Transformers (Article 450) – 8 hours
Fire Alarm Requirement & Telecommunications – 8 hours
OSHA Safety Training (16 Hours) – 5 hours
OSHA Safety Training (30 Hours) – 8 hours
How to Use the NEC Workshop.... – 8 hours
Swimming Pools (Art. 680) & Healthcare Facilities (Art. 517) – 8 hours
Overcurrent Protection Devices & Uses – 8 hours
Most common Reasons for Failing Inspections & Plan Review – 8 hours

NFPA

2014 NEC – 21 hours
NFPA 70E – Electrical Safety in the Workplace – 14 hours

****The following were approved contingent upon receipt of Instructor Resume, course outline and timed breakdown of course content****

TECH Electrical Courses

TEC 12 – 0722 – Overcurrent Protection – 4 hours
TEC 12 – 0044 (10 hr. Course) Electrical Code update /Law - 10 hours
TEC 12 – 0715 – Grounding & Bonding – 4 hours
TEC 12 – 0721 – Conductors & Conduits – 4 hours
TEC 12 - 0725 – Motors & Transformers – 4 hours
TEC 12 – 0723 – Motors: Feeders, Current, Disconnects & Calculations – 4 hours
TEC 12 – 0724 – Boxes:Wall Outlet, Pull Jct Wireways & Aux Cutters – 4 hours

James Early

Electrical Code Course for Electricians – 36 hours

Review of Statute 1408 (a)(7)

Mr. Mangler addressed the Board with concerns over statute 1408(a)(7), and requested a clear indication as to which exam is “the written standardized examination for licensure” as stated in the law? He indicated that by accepting the NEIEP, CET and/or Prometric exam scores as acceptable, the Board is not applying its own law correctly and that they must pick one of the 3 tests available to be considered the standard. The only way around 1408(a)(7) is to change the statute to reflect specifically what is and is not acceptable.

A motion was made by Mr. MacLennan, second by Mr. Travers to: **(a)** Make the Prometric administered exam the standard examination for each license type that ALL applicants must take to obtain that license, regardless of any previous testing done prior to DE application, **(b)** to approve, without Board review, to take the Prometric exam any applicants who provide a CET or NEIEP certificate(s) with a passing score, **(c)** to continue to accept CET and NEIEP certificates with a passing score for licensure without Board review that are received *no later than June 30, 2014* and **(d)** require all applicants to take the Prometric administered exam for licensure effective July 1, 2014 in accordance with the requirements outlined in 1408(a) (1) – (7). The motion carried unanimously.

Review of Rules & Regulations

Per Mr. Maloney's request, the Board reviewed the requirements as set forth under § 1418, regarding the loss of a license holder. The Board was in agreement to relax the 7 day notification of the loss of a license holder for an electrical company. After further discussion of the matter, the Board would like Mr. Maloney to draft a proposed statute change to reflect the following: (a) The company must notify the Board within 30 days of loss of license holder, (b) an employee of the company must submit an application for Board review, (c) if approved, the applicant will receive a 200-day temporary permit and (d) the holder of the temporary permit must register to take one of the next 2 available exams offered by Prometric. Mr. Beebe also recommended removing the verbiage regarding "emergency meeting" from 1418(b) if notification is extended to 30 days, it can just be done at the next regular meeting, unless it happens in August or December.

Review of Crimes List

Mr. Hartley recommended forming a subcommittee or workshop to continue the discussion over adding crimes to the list provided in the current regulations. The Board members were all in agreement that would be the best way to address the list. The first workshop will be held in September 2014.

Review of Proposed Statute Changes

The Board reviewed the revised proposed amendment change to the electrical licensing statute included in §1419(a)(4). The Board approved of the new language and do not oppose the change.

Review of Testing Services

Mr. Creedon shared the results of the last Prometric exam; 6 of 8 applicants passed the elevator exam.

Review & Consideration of Consent Agreement(s)

After review of the consent agreement for Edward L. Tribeck, a motion was made by Mr. Murrian, second by Mr. MacLennan to reject the consent agreement as written; they feel the fine is insufficient considering the violations. The Board would like the AG's office to impose the maximum fine per violation. The motion carried unanimously.

CORRESPONDENCE

Mr. Creedon read a correspondence letter from Mr. Earley. Mr. Earley's request for an extension on CE requirements was denied. Mr. Creedon suggest he take a correspondence course or an online course.

Mr. Creedon read correspondence reply from Mr. Overmiller indicating an amendment to §1408(a)(5), Title 24 of the DE Code was needed. Mr. Overmiller wanted to be sure to close any loopholes in the current laws regarding apprenticeship programs.

OTHER BUSINESS BEFORE THE BOARD

Mr. Creedon asked Ms. Strauss to include nomination and appointment of Board Chairs on the July meeting agenda.

PUBLIC COMMENT

There was no public comment.

NEXT SCHEDULED MEETING

The next scheduled meeting will be held on July 2, 2014 at 08:30 Cannon Building
861 Silver Lake Boulevard, Dover, Delaware, Conference Room A, 2nd floor.

ADJOURNMENT

With no further business before the Board, a motion was made by Mr. Beebe, seconded by Mr. MacLennan, to adjourn the meeting at 11:17a. The motion was unanimously carried.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'M. Strauss', written in a cursive style.

Maggie Strauss
Administrative Specialist II